

## Tank Owners/Operators and Other Interested Parties:

This letter summarizes requirements for the removal or closure-in-place of regulated underground storage tank (UST) systems based on state UST regulations, Chapter 173-360 WAC. These requirements do not apply to non-regulated UST systems such as heating oil tanks and farm/residential UST systems of fewer than 1,100 gallons capacity. Complete UST regulations can be obtained from any Ecology regional office.

The following key elements of an UST system closure are described:

1. Requirement to use licensed or certified contractors;
2. Thirty-day notification requirement;
3. Permanent closure procedures;
4. Required documentation;
5. Site Assessment requirement;
6. Responsibility for reporting releases discovered during tank removal:
  - a. Local permit(s);
  - b. Dangerous Waste considerations; and
  - c. Record keeping.

### 1. Licensed or Certified Contractors Must Be Used

Contractors who perform tank decommissioning are required to have a certification from the International Fire Code Institute (IFCI). Contractors are required to carry proof of certification on site. Ecology does honor IFCI certification from other states. Contact the department for further information.

### 2. Thirty-day Notification Requirement

The regulations (WAC 173-360-385) require that Ecology be notified at least thirty (30) days prior to beginning tank closure. This written notification should be submitted on the enclosed 30-Day Notice form.

The 30-day notice allows time for a state or local UST inspector to contact the tank owner/operator or the contractor performing the closure possibly to be on site while closure activities are being conducted.

The contents of the tank may be pumped during the 30-day notice period. Petroleum products can possibly be recycled. Dangerous wastes will need to be disposed of in accordance with Dangerous Waste Regulations, Chapter 173-30 WAC.

3. Permanent Closure Procedures

Permanent closure is required to be completed by a licensed/certified contractor within sixty (60) days after expiration of the 30-day notice. A written request for an extension may be submitted stating the reason for the requested extension.

To permanently close an UST system, the contractor must empty and clean the tank by removing all liquids and accumulated sludges. All liquids and sludges should be removed and disposed of in an approved manner. The tank must then either be removed from the ground or filled with a solid inert material. Sand slurry, a weak cement slurry (to avoid creating a giant boulder that may cause problems later on), or polyurethane foam are all acceptable fill materials. All piping shall be either capped (except any vent lines) or removed from the ground.

Although state regulations allow in-place closures, Ecology strongly recommends tank removal. It is easier to obtain the soil samples needed for the site assessment (described below) when the tank is removed. Tank removal may make any future sale of property less complicated. A site assessment as well as a Temporary/Permanent Closure and Site Assessment Notice (enclosed) are required even if an UST system is closed in place. Local authorities should be contacted regarding local closure-in-place policies.

Tank closure is a dangerous operation because of the potential for fire, explosion, and other hazards. Only qualified personnel should perform this work. An UST closure should not be done by an unqualified or inexperienced person.

4. Required Documentation

Contractors must certify that their services comply with the requirements for UST closures by submitting the Temporary/Permanent Closure and Site Assessment Notice form (enclosed). The contractor must submit this form to Ecology within thirty (30) days following the completion of an UST system closure. This form must be signed by the owner or operator and by the contractor. The Temporary/Permanent Closure and Site Assessment Notice is needed as a written document to "close" tank(s)/site(s) on Ecology's UST database. Please include the Ecology Site ID number on this form. Any active tank permits for UST systems being closed shall also be returned to Ecology within thirty (30) days of closure activities.

5. Site Assessment Requirements

Before permanent closure can be completed, a site assessment must be performed. A site assessment is an investigation for the presence of a release at that portion of the UST site where the UST system is located. This investigation must be completed by a person certified by IFCI or Washington registered professional engineers who are competent, by means of examination, experience, or education, to perform site assessments.

The site assessment must be performed according to Ecology's Guidance for Site Checks and Site Assessments for Underground Storage Tanks. The guidance provides information on required sampling procedures, the number and locations of samples to be obtained, and required laboratory analyses and reporting.

Increasingly, insurance companies and lending institutions are requiring proof that a proper site assessment has been done. This increases the importance of a site assessment being performed according to Ecology's guidelines, and that tank owners maintain records of site assessment results.

The site assessor is required to submit a Site Check/Site Assessment Checklist (enclosed) and report within thirty (30) days of completion of the site assessment. The Site Check/Site Assessment Checklist is needed to "close" Ecology's UST site files following a "clean" closure. If a release of product is discovered, a site characterization report, outlined in the cleanup regulations (Chapter 173-340 WAC), will be required. In this case, the Site Check/Site Assessment Checklist and report is no longer required to be submitted.

6. Responsibility for Reporting Releases Discovered During Tank Removal

If contaminated soil, contaminated ground water, or free product (liquid or vapor) is discovered during the tank removal, site assessment, or by any other means, the owner and/or operator must notify the appropriate regional Ecology office within twenty-four (24) hours of detection of the release.

Soil contaminated by petroleum is considered a hazardous substance under the Washington Model Toxics Control Act (cleanup regulation). Generally, it can be treated on-site or disposed of as a solid waste, but in some instances it may need to be disposed of as a dangerous waste. Soil contaminated by a hazardous substance other than petroleum must be dealt with on a case-by-case basis.

a. Local Permit Requirements

Although certain aspects of the Uniform Fire Code are preempted by the state UST rules, local permit requirements still apply in many areas of the state. A closure permit may be required from the local fire department or other local agency prior to closure. You should contact them at the same time you file your 30-day notice with Ecology.

b. Dangerous Waste Considerations

Underground storage tanks that have been used to store petroleum contain sludge that can have a high benzene content. If the underground storage tank was used to store leaded petroleum, there may also be a high lead in the sludge. This sludge may be regulated as a dangerous waste. Persons handling and disposing of the sludge should ensure they understand the applicable state Dangerous Waste Regulations contained in Chapter 173-303 WAC.

It is the responsibility of the tank owner or operator to determine if the sludge designates as a dangerous waste based on Chapter 173-303 WAC and, if so, to obtain an EPA/state ID number by filing a notification of Dangerous Waste activities on Ecology Form 2. (Ecology Form 2 can be obtained at Ecology's regional offices.) Sludge considered to be a dangerous waste must be sent to an approved treatment, storage, and disposal (TSD) facility. If the sludge is not a dangerous waste, it is a solid waste and may be disposed of at a permitted municipal landfill with the permission of the landfill operator.

Gasoline, diesel, or fuel oil stored in USTs being closed and which can be directly reused as product (e.g., gasoline sold and used in a motor vehicle) are not considered to be dangerous wastes. Fuel and water mixtures are also not required to have a manifest and EPA/state ID number if they are sent off-site to be burned for energy recovery. The owner or operator should request documentation from the licensed decommissioning firm closing the tank that such fuels have, in fact, been burned for energy recovery in an approved manner. However, if it is known that other dangerous wastes (e.g., solvents) have been added to the tank contents, the whole mixture must be managed as dangerous waste.

For further information on state dangerous waste criteria, or if you need an EPA/state ID number, contact Dangerous Waste staff at the appropriate Ecology regional office.

c. Record Keeping

The results of a site assessment following an UST closure must be maintained for at least five (5) years after completion of the permanent closure, in one of the following ways:

- \* by the owners and operators who took the UST system out of service;
- \* by the current owners and operators of the UST system site; or
- \* by mailing these records to the department or delegated agency if they cannot be maintained at the closed facility.

Although the rule requires record retention for only five (5) years, it is recommended that records be maintained indefinitely; proof of a "clean closure" is very important regarding any future property transfers or related business transactions such as obtaining loans or insurance.

FOR FURTHER INFORMATION OR FOR REPORTING CONTAMINATED SITES, contact the following Ecology offices:

Northwest Regional Office (Bellevue):	(425) 649-7000
Southwest Regional Office (Lacey):	(360) 407-6300
Central Regional Office (Yakima):	(509) 575-2490
Eastern Regional Office (Spokane):	(509) 456-2926
Headquarters (Lacey):	(360) 407-7170 or 1-800-826-7716

FOR INFORMATION REGARDING SITES LOCATED ON INDIAN LANDS, contact the Environmental Protection Agency at the addresses below:

EPA Region 10, 1200 6th Avenue, MS WD-133, Seattle, WA 98101-3188  
(206) 553-1086

or

Robert Cutler, EPA Washington Operations Office, Lacey WA 98503  
(360) 753-9543

If you need further information regarding underground storage tanks, please call any of the Ecology offices listed above.

J:\users\ifm\wp\1closure.wp  
(04/19/96)